

REMARKS

In the Office Action sent on April 7, 2005, the Examiner rejected pending Claims 1, 3 and 4 based on grammatical errors, being indefinite under 35 U.S.C. §112, and as obvious in view of the patents to Allison, Hollingsworth and Bauer et al. In response, Applicant has amended Claim 1 to overcome the grammatical errors and the rejection for being indefinite. Applicant has also amended Claim 1 to include a further limitation to further distinguish it from the prior art.

Applicant has amended Claim 1 to include a limitation that the invention may interact with continuing education providers such that they may directly access the software program of the present invention to incorporate into its memory subsequent and additional completions of continuing education credits, as well as additional and new certifications of an individual. All of the prior art discusses a database containing information on individuals and means of providing access to that database to various entities. Applicant does not believe that any of the cited prior art patents, individually or taken as a whole, disclose or suggest the ability of a continuing education provider the ability to directly access the memory in such a way as to provide additional information regarding completed continuing education and additional certification without allowing the continuing education provider access to information within the database.

Also included is a series of flow charts to further clarify the distinctions between the present invention and the prior art.

For all the above reasons, Applicant now believes that the application should be in condition for allowance and such action is earnestly solicited. If, for some reason, any other issues remain, a telephone conference with the Examiner is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Allen F. Bennett', is written over a horizontal line.

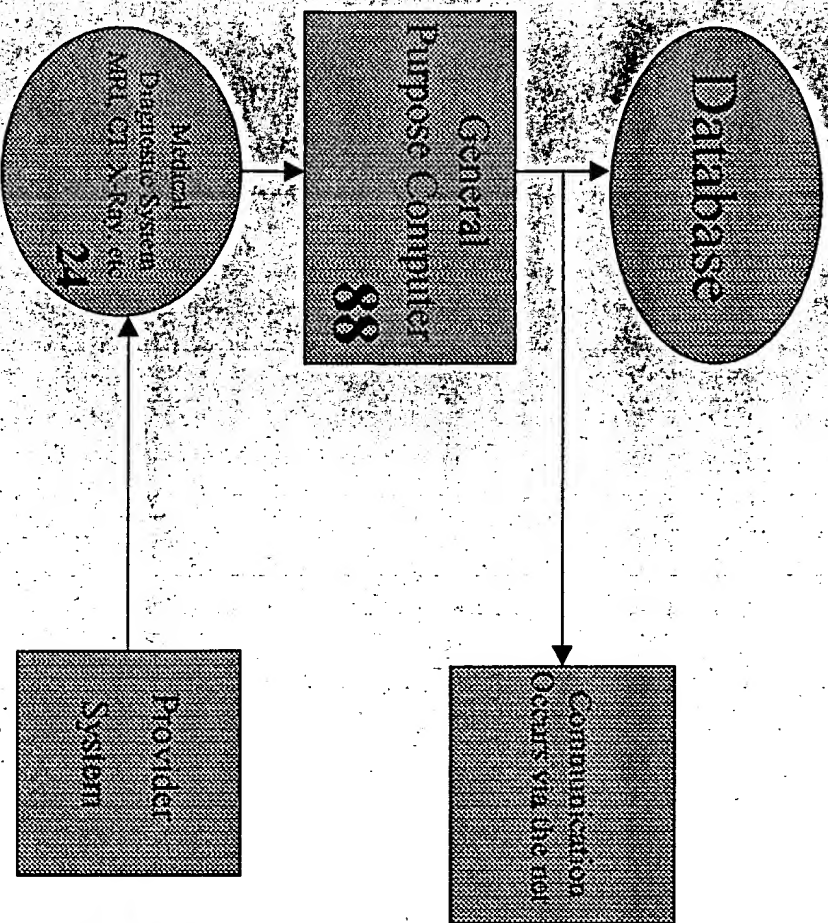
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Attorneys for Applicant



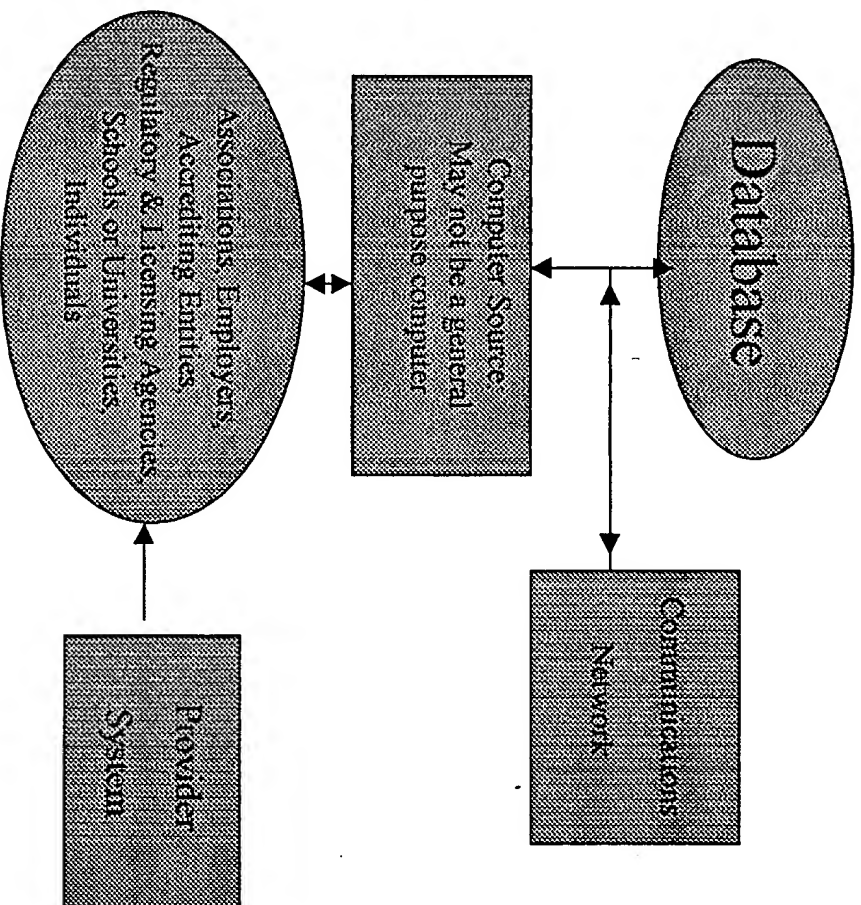
Differences:

- A) Computer Source
- B) Provider System
- C) Flow of Communication

• Allison: Fig 1: Element 88 and 24

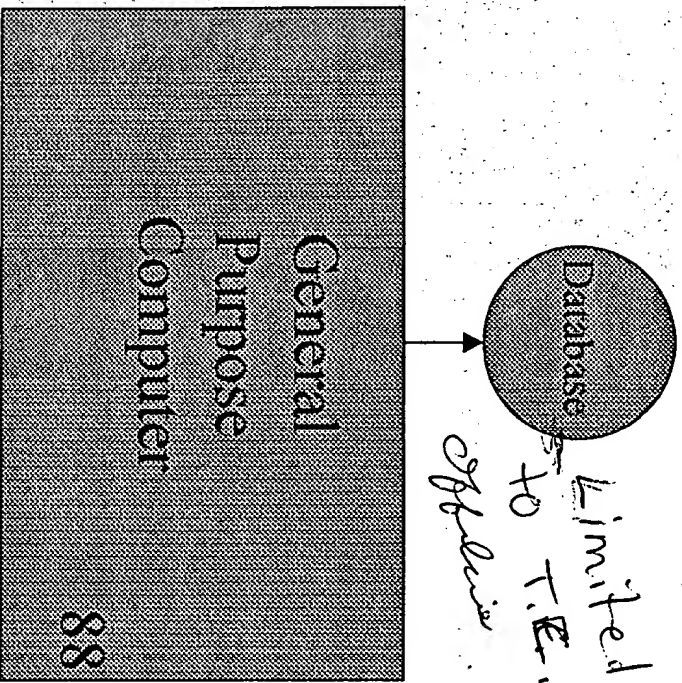


• Abbott: Original Figs. 14, 20, 22, 42

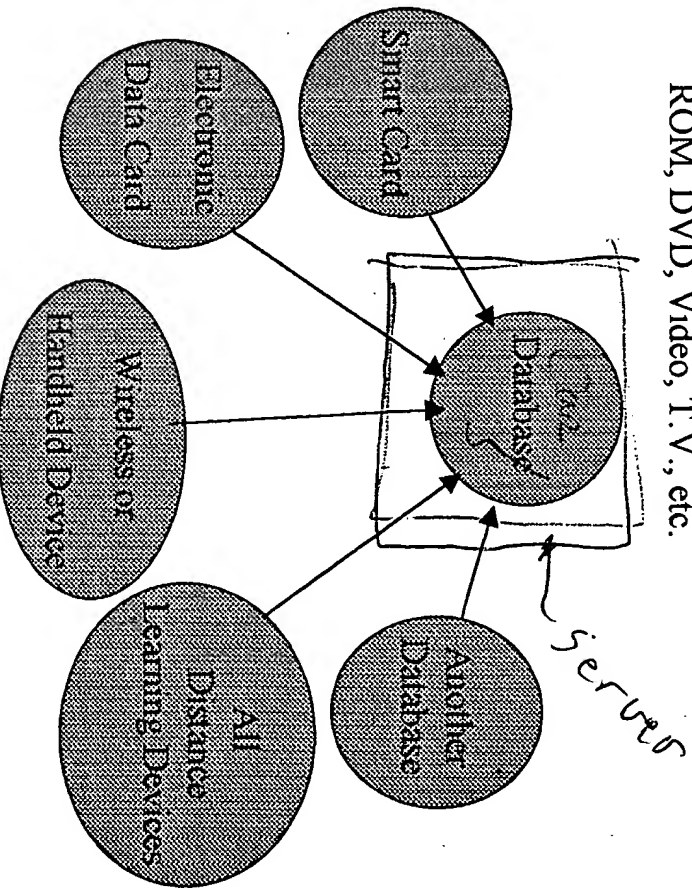


Difference 1: Source:

- Source: General Purpose Computer



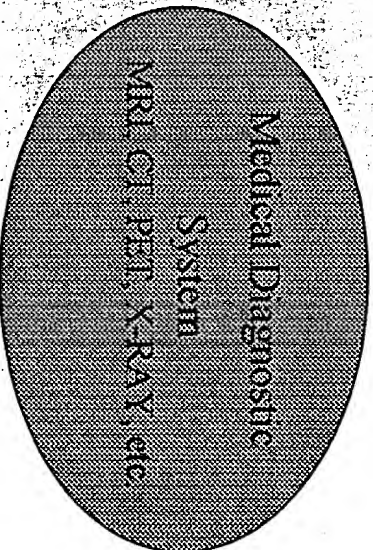
- Source: Other than general purpose computer.
- 1. "Smart Card"
- 2. Electronic data card w/capacity for information storage
- 3. Another data base: Examples: Site to Site Transfer, and CEASP
- 4. Wireless or handheld device
- 5. All distance learning devices: Examples: CD-ROM, DVD, Video, T.V., etc.



Difference 2: Provider System

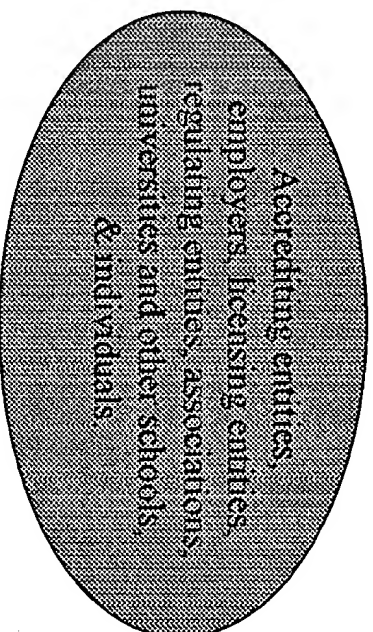
- **Allison:**

- 1. This is a medical machine-based training system comprised of an MRI, CT, PET, and X-RAY.
- 2. Tests are generated off-line from a training center to the provider system.



- **Abbott:**

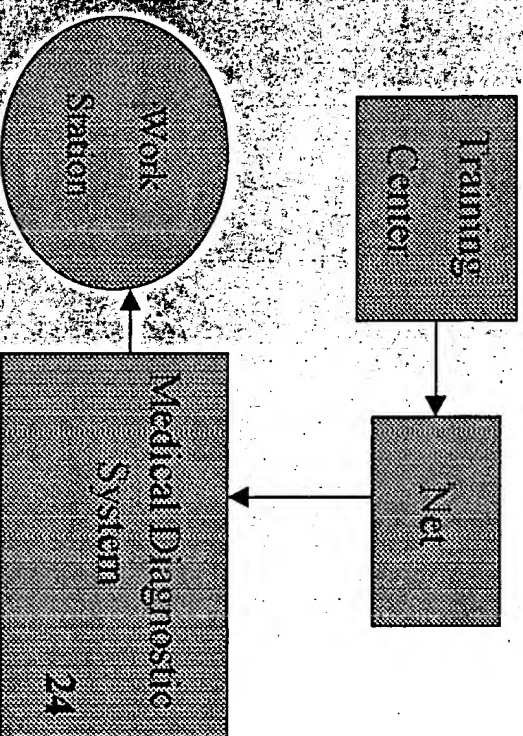
- 1. This is an online education-based system with multiple education entities and other education sources.
- 2. The system is comprised of accrediting entities, employers, licensing entities, universities and other schools, regulating entities, associations and individuals.
- 3. Tests are generated online by anyone within the provider system.



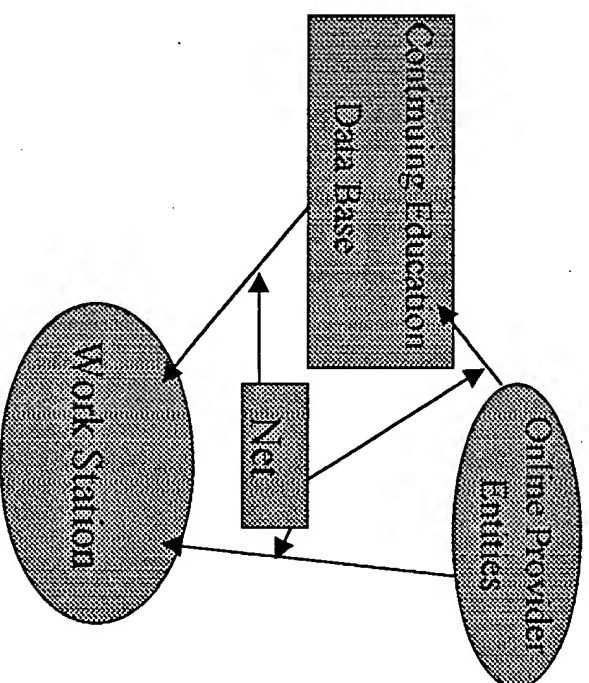
Difference 3: Flow of Tests

Test requirements are determined by the accrediting entity, ~~creating~~ creating or certifying entity.

- **Allison:**
 1. Tests are generated from a training center; a non-internet-based system.
 2. Training Center uses the Internet to transmit tests to the Diagnostic Medical System.
 3. The test is then sent to the workstation to await the health care professional input.



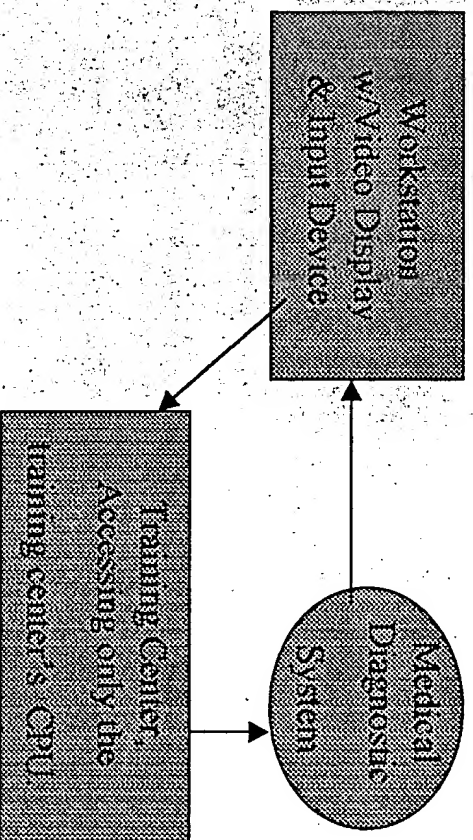
- **Abbott:**
 1. Tests are generated from an online mass of continuing education resources (Our provider system).
 2. Tests may pass through our data base or go directly to the health care professional.
 2. The tests are transmitted via an Internet-based system directly to the workstation.
 3. The health care professional, working online, provides responses to the test.



Difference 4: Interactivity & Video Display

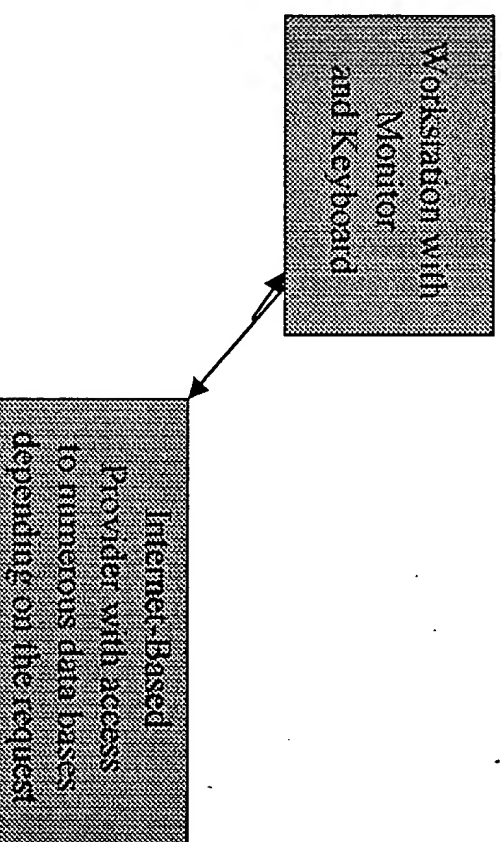
Allison:

- 1. This system is limited in that it can not operated independently from the medical diagnostic system and is location dependent.
- 2. This system is limited to what is available through the training center.
- 3. This system is limited to making requests, sending messages and related data between the training center and the diagnostic medical machine.
- 4. This system is limited to the responses of the training center.



Abbott:

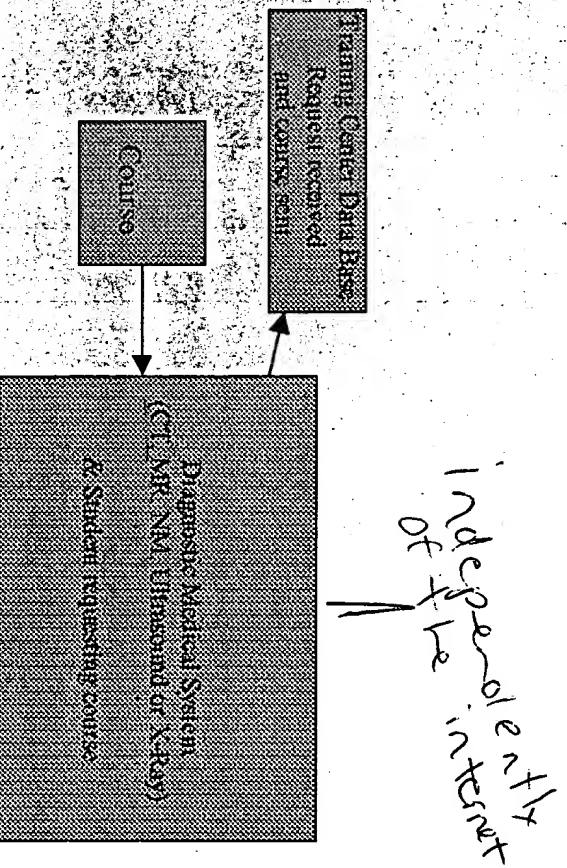
- 1. This system is not location or workstation dependent.
- 2. This system is not limited by one source of material.
- 3. This system is not limited to making requests, sending messages and viewing data from just one source.
- 4. This system is not limited to responses from just one source.



Difference 5: Course Request and Delivery: Col.2. Lines 24-43

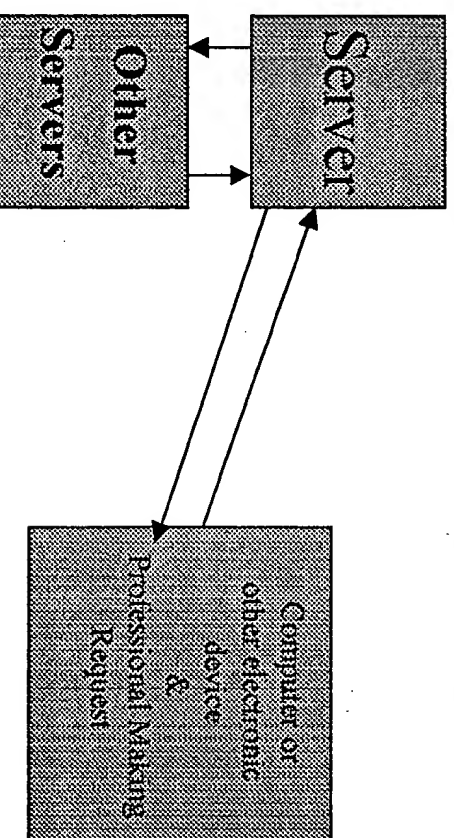
Allison:

- 1. The Health Care Professional inputs a selection at the first medical diagnostic system.
- 2. The request is sent to and retrieved from a single data base, limiting the selection to what is provided by that data base.
- 3. The Internet is used only to transmit the course.
- 4. Course is transmitted to the first medical diagnostic system and the Professional off line.
- 5. Delivery of courses is dependent on the Medical Diagnostic System.
- 6. The medical diagnostic system consists of a CT, MR, NM, Ultrasound or X-Ray). This system is medical diagnostic system dependent.



Abbott:

- 1. The Health Care Professional inputs a request for a course at any computer or other device with an Internet connection.
- 2. The request is received by a server (multiple servers may be used) (Thousands of requests may be made at the same time.) which searches multiple data bases online for a selection of course options in the area of expertise requested and sends the selections to the Professional. (Not to a specific machine.)
- 3. The Professional's course selection is received by the server and the professional has the course within seconds. The system is flexible and is asynchronous or synchronous, depending on the course and the professional.
- 4. The system is not device or machine dependent.



Difference 6: License Entity

Allison:

- 1. Remote access network: proprietary, dedicated or Internet.
- 2. This system is limited in that information exchange occurs between the medical diagnostic system, the workstation, and the remote service facility only.
- 3. A transcript or record may be generated by the professional for the licensing entity only.
- The transcript or record is sent to a licensing entity via mail or fax only.
- The transcript or record information is stored in and off-line data base.
- Maintenance of a continuing education course Log is dependent on the professional.
- The transcript or record is limited in that it includes only the professional's name, profession, specialty, completed courses and test scores.
- No other education requirements or information is included in the record or transcript.

Abbott:

- 1. This system can provide services through remote access, proprietary or dedicated networks on-line.
- 2. This system provides unlimited electronic access and information exchange through computer, handheld, wireless, and other electronic devices.
- 3. A transcript or certification or report may be generated by a number of entities including but not limited to the professional, the licensing or certifying entity or employer upon request.
- 4. The ... on-demand report to the licensing entity when requested by the licensing entity.

Difference 7: Storage of CE Requirements

col.1, lines 33-55 & col. 2, lines 24-43

• Allison:

- 1. This system is limited because it does not provide an avenue to include “typical channels” of continuing education such as classroom training, CD-ROM, medical symposia, seminars, journals, and other formats.

- This system is limited in that it is not being utilized by the professional or by the
- Storage of the professional’s information is limited to
- Deficiency is based on training completed, not on

• Abbott:

- 1. This system provides an avenue to include “typical channels” of continuing education such as classroom training, CD-ROM, medical symposia, seminars, journals, and other formats through both electronic means and professional or student input. This system provides avenues for managing school records (at any level from grade school to college.) which may include an electronic school health record (ESHR©).

- This system has been tracking skills and training of health care professionals online via it’s prototype system since 1999.
- This system provides an online method of monitoring the workforce of a particular employer, association or other organization as well as by license or certification type.
- This system can provide an on-demand report to the licensing entity.